

Attachment

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription

05/22/2012

[REDACTED]

Deputy United States Marshal Hank Shafer, FBI Special Agent Leland McEuen, FBI Intelligence Analyst Mark Fitterer, Spokane Deputy Sheriff Sergeant Parker #591040 and Sheriff Sergeant Smith #599 participated in the search process. Prior to the search, Brice and his cellmate were removed from the cell and the cellmate's property was removed by Sgt. Parker.

At the initiation of the search, a preliminary visual assessment revealed large envelopes within Brice's cell marked "Legal." Sergeant Parker informed the writer that such markings were sometimes used by inmates to conceal prohibited items, and that corrections deputies were sometimes required to screen items marked in this fashion to determine whether or not contraband were present.

Because Deputy United States Marshal Shafer was not a part of the investigative team, Deputy Marshal Shafer conducted the initial screening of all material, in order to separate apparent legally privileged from other non-protected and potentially probative items. Deputy Shafer performed this separation, then provided the clearly non-privileged mail/documents to SA McEuen and IA Fitterer for further review and selection. Several documents appeared to be relevant; because the jail had to be placed in lockdown during the search, the documents were selected expeditiously, and were thus not reviewed fully. Rather, these screened items were placed in a container for further analysis.

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Investigation on 5/18-22/2012 at Spokane, Washington

File # 279D-SE-96927

Date dictated Not Dictated

by SA Leland McEuen

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The bag of collected documents was then provided to FBI Intelligence Analyst John Pulcastro for a second review for privileged materials on May 18, 2012. Intelligence Analyst Pulcastro found no questionable documents. After this second review, and having found no privileged materials, SA McEuen received the documents for a further, more in-depth review on May 21, 2012.

On May 21 and 22, 2012, SA McEuen conducted a more comprehensive review of the documents which had been identified as non-privileged through this dual layer screening process. Two non-privileged documents and a photograph of the aforementioned writing under the bunk bed were identified as potentially probative exhibits, and these three items were copied. All original material was placed in the FBI evidence system.

On May 22, 2012, SA McEuen provided those three pages (one photo and two pages) to AUSA Smoot and provided a summary of the results of the search process. During this briefing, AUSA Smoot received a notice of hearing regarding the search. AUSA Smoot returned the three pages to SA McEuen, and requested they be

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sealed, along with all documents seized from the cell, pending further instructions from the Court.

SA McEuen returned to the FBI office, sealed the three pages and requested a sealed copy be made of all documents seized from Brice's cell. Evidence Technician Aaron Hammer made the copies and provided them to SA McEuen for transport to AUSA Smoot.

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